From: laura zucker <laurazucker212@gmail.com>
Sent: Friday, April 11, 2025 12:02 PM
To: cityhall
Subject: April 14, 2025 public comment

Good Morning Council!
First, let me thank you all for your service to our community. I know it can be a thankless job, and I appreciate you.

I would like the opportunity to be heard at Monday's meeting concerning a Petition that has been circulated addressing the dangerous conditions created by the protest/counter protest in front of Lafayette Elementary. My understanding is that there may be a report given by the City Attorney later on the agenda, but that I may be given the chance to speak at the beginning of the evening unrelated (as it were) to that report, and that would be my preference.
Thank you so much.
Best,
Laura Zucker

Laura Zucker
Laura Zucker Music
SongC.R.A.F.T.
laurazucker212@gmail.com
(925) 642-6440
Kerrville NewFolk Finalist
WCSA Best Song of the Year
Falcon Ridge Emerging Artist
SWRFA Showcase Artist
MASC Gold Award

From:	Staci Ericson <gollygee_pers@yahoo.com>
Sent:	Friday, April 11, 2025 3:49 PM
To:	cityhall, Srivatsa, Niroop, Candell, Susan, Anduri, Carl, Cervantes, Jim, Dawson, Gina, John McCormick
Subject:	Signed petition for your review prior to Monday's Council Meeting
Attachments:	Safety Petition.pdf

Dear City Council Members,

Attached, please find the full Petition to Keep Lafayette Students Safe from Traffic Distractions Caused by Protestors,
currently signed by 339 citizens with others still coming in.

To: The City of Lafayette, California

We, the undersigned residents, parents, educators, and community members of Lafayette, are deeply concerned about the safety risks posed by recent protests at Lafayette Elementary School (LES) during drop-off and pick-up times.

Over the past two school years, protesters have positioned themselves outside LES during busy drop-off and pick-up periods when children are walking to and from school, or getting into and out of cars. The protesters often carry signs that block the sidewalks, forcing pedestrians to step into the street to go around them. Frequently, the signs extend into the street itself, creating hazards for both pedestrians and drivers. At times, protesters are stepping into the road to engage with passersby, distracting drivers further on already-congested Moraga Road.

Growing tensions are of particular concern, adding to the distraction and commotion at a time and place where the primary focus should be the safe arrival and departure of students at their school. Students, parents, and teachers are frequently shouted at by these protestors, videotaped without their consent, and subjected to harassment. Additionally, messages on the signage are phrased to create conflict and undermine students' sense of self worth. This is not an environment conducive to focused attention on traffic and the safety and well-being of children.
Middle school students are affected as well, on their way to and from Stanley Middle School, and have been seen jaywalking across Moraga Road to avoid the commotion.

Currently, these protests are concentrated at and regularly occur outside Lafayette Elementary School, but similar hazards could arise at other schools in the area.
We hereby request that the Lafayette City Council take immediate action to address these safety concerns by creating a citywide ordinance that:

1. Establishes a protest-free zone extending two blocks in all directions from any school.
2. Enforces this zone one hour before and one hour after school starts and ends.

The goal of this ordinance is to provide a safer environment for children as they arrive and leave school, while still respecting everyone's right to free speech.
We, the undersigned, call on the City of Lafayette to take action to ensure the safety of our students during school drop-off and pick-up times.

With gratitude,

Staci Ericson
Cofounder, FUNdamentals4kids
Website: https://fundamentals4kids.com/
Instagrams:https://www.instagram.com/fundamentals4kids/
https://www.pinterest.com/staci0621
Facebook:https://www.facebook.com/profile.php?id=100047670777015

Petition to Keep Lafayette Students Safe from Traffic Distractions Caused by Protesters

To: The City of Lafayette, California

We, the undersigned residents, parents, educators, and community members of Lafayette, are deeply concerned about the safety risks posed by recent protests at Lafayette Elementary School (LES) during drop-off and pick-up times.

Over the past two school years, protesters have positioned themselves outside LES during busy drop-off and pick-up periods when children are walking to and from school, or getting into and out of cars. The protesters often carry signs that block the sidewalks, forcing pedestrians to step into the street to go around them. Frequently, the signs extend into the street itself, creating hazards for both pedestrians and drivers. At times, protesters are stepping into the road to engage with passersby, distracting drivers further on already-congested Moraga Road.

Growing tensions are of particular concern, adding to the distraction and commotion at a time and place where the primary focus should be the safe arrival and departure of students at their school. Students, parents, and teachers are frequently shouted at by these protestors, videotaped without their consent, and subjected to harassment. Additionally, messages on the signage are phrased to create conflict and undermine students' sense of self worth. This is not an environment conducive to focused attention on traffic and the safety and well-being of children.
Middle school students are affected as well, on their way to and from Stanley Middle School, and have been seen jaywalking across Moraga Road to avoid the commotion.

Currently, these protests are concentrated at and regularly occur outside Lafayette Elementary School, but similar hazards could arise at other schools in the area.
We hereby request that the Lafayette City Council take immediate action to address these safety concerns by creating a citywide ordinance that:

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The goal of this ordinance is to provide a safer environment for children as they arrive and leave school, while still respecting everyone's right to free speech.

We, the undersigned, call on the City of Lafayette to take action to ensure the safety of our students during school drop-off and pick-up times.

Time stamp	Full Name	E-Mail Address	City or Zip	Comments (optional)
4/7/2025 11:07:25	Erin Bloom	Teacherbloom@yahoo.com	94549	
4/7/2025 11:15:41	Nikki Cowger	Nikki@cowger.us	94549	
4/7/2025 12:02:48	Hillary McDaniel	hillaryfmcdaniel@gmail.com	94549	
4/7/2025 14:11:54	Pamela Abbes-Atkins	twldee@comcast.net	94549	please stop/ limit these practices
4/7/2025 15:13:06	Stephanie Coffee	slcoffee@comcast.net	94549	
4/7/2025 15:17:47	Katie Sowarby	katiesowarby@comcast.net	Lafayette	

4/7/2025 15:18:46	Kristie Darin	kdarin73@gmail.com	94549	I'm a teacher at Lafayette Elementary and I know we would all appreciate this for the safety of our students who mainly walk and bike to school.
4/7/2025 15:21:11	Donna Kendall	Donnakendalllaf@Gmail.com	94549	
4/7/2025 15:22:00	Kim Siegel	heysiegels@gmail.com	94549	
4/7/2025 15:23:42	Wendi Giordano	Wgiordano@live.com	94549	
4/7/2025 15:24:32	Susie DeCarlo	Susiedecarlo@yahoo.com	Lafayette	
4/7/2025 15:31:21	Robyn Palano	rpalano@comcast.net	94549	
4/7/2025 15:45:11	Ken Coffee	ken_coffee@comcast.net	94549	
4/7/2025 15:48:36	Hilary Shipway	Shipways4@comcast.net	94549	
4/7/2025 15:55:01	Holly Sibley	hollyvienna@gmail.com	94549	
4/7/2025 16:28:23	Andréa Nazemi	andreaktobias@yahoo.com	94549	Please keep our school zone safe!
4/7/2025 16:39:27	carole sinclair	sinclaircarole@hotmail.com	94549	keep roads safe please

4/7/2025 18:12:23	Staci ericson	gollygee_pers@yahoo.com	94549	
4/7/2025 18:19:39	Doug McDaniel	williamdmcdaniel@gmail.com	94549	
4/7/2025 18:21:21	Lucy Foss	lucygfoss@gmail.com	Orinda	
4/7/2025 18:27:06	David Bahr	davidcbahr@gmail.com	94549	I appreciate the right to assemble but feel it should not disrupt the thoroughfare of our small community & limited road space inherent to the city of
4/7/2025 18:41:22	Jason Dunn	jasonrobertdunn@gmail.com	94549	
4/7/2025 18:44:55	Erica Bahr	ericadbahr@gmail.com	94549	
4/7/2025 19:24:23	Ash Ericson	Sunspot334@gmail.com	94549	
4/7/2025 19:54:18	Hallie Bahr	Halbop21@yahoo.com	Lafayette	
4/7/2025 21:32:08	Samuel Foss	samfoss7@gmail.com	93101	

				As the parent of an alumnus of Lafayette Elementary School and Stanley Middle School, I have been troubled to notice the regular demonstrations near the school, frequently making the children uncomfortable or scared. The messages on the signs I've seen directly oppose the programs we fundraised for, piloted, and implemented that aimed to make ALL students feel safe and respected in our school environment. **As an Orinda mom who works in Lafayette and frequently drives down Moraga Rd., I have been troubled by the demonstrators who, sometimes, have large signs that block our vision, create a distraction for rubberneckers, or cause pedestrians to step around them into the road. This road is already overly busy, so having this distraction and disruption around the school creates an unsafe situation for all of us.** **As a Lafayette native and**

4/8/2025 20:23:36	Rachel Goldstone	rachelgoldstone@comcast.net	94549	
4/8/2025 20:37:30	Rebecca Espigares Martin	rebecca@remartin.me	94556	
4/8/2025 20:37:37	Bree Sanchez	breesanchez@gmail.com	94556	THANK YOU!
4/8/2025 20:47:23	Gwen Weiland	gwen@squishtech.com	94549	
4/8/2025 20:55:36	sarvi anderson	sarvi@stardaisy.com	94549	
4/8/2025 21:12:52	Leia Cruz	leideebug@gmail.com	94549	
4/8/2025 22:16:57	Kristin Cortez	kristingcortez@yahoo.com	94549	
4/9/2025 5:41:57	Amy Truong	amyvtruong@gmail.com	94549	
4/9/2025 6:52:17	Karen Severo	karenannsevero@gmail.com	94549	
4/9/2025 6:54:30	Nicole Long	bruinmom@gmail.com	Lafayette	
4/9/2025 7:07:37	Jeff Smick	jeff@squishtech.com	94549	

4/9/2025 7:08:19	Gabe Westmaas	westmaas@gmail.com	Lafayette	
4/9/2025 8:02:28	Stephanie Brown	Stephanie.brown27@yahoo.com	94595	I support free speech. However, the congested areas around our schools have proven to be dangerous for students and staff, and this ordinance would address that safety while preserving the rights of protestors.
4/9/2025 12:55:42	Nina Mostepan	theninamarie@gmail.com	94549	
4/9/2025 12:56:03	Julie thornton	Juliethornton22@yahoo.com	94549	
4/9/2025 12:56:44	Felice O'Rourke	Felicedow@gmail.com	94549	Please stop the madness caused by these protestors.
4/9/2025 12:57:08	Brenna Butler	brennal78@yahoo.com	94556	
4/9/2025 12:58:28	Erica Pacheco	Pachecoejb@gmail.com	94549	
4/9/2025 13:10:21	Kathy Ponder	Kfongjnk@gmail.com	94556	

4/9/2025 13:13:49	Rebecca DeLuca	rkenmark@gmail.com	Lafayette	These protestors are a tragedy waiting to happen, and it's offensive and inappropriate that they've targeted the youngest Lafayette students. Traffic on Moraga Road during school hours is already chaotic and dangerous, and this ongoing situation makes it worse. Bad enough when they were across the street, now they're literally blocking the entrance/driveway to the school. I'm all for the first amendment but I don't believe it extends free speech rights that threaten or create hazards for others. Please fix this situation.
4/9/2025 13:21:40	Liz Keyser	Lizwatsonkeyser@gmail.com	94549	
4/9/2025 13:26:52	Karina Marini	Kwmarini@sbcglobal.net	Lafayette	
4/9/2025 13:27:32	Annette McCormic	Astansburymccormick@gmail.com	94549	
4/9/2025 13:37:49	Kylie Gordon	Kyliesgordon@gmail.com	Orinda	Keep up the good work!
4/9/2025 13:45:41	Eric Rubin	Erubin50@gmail.com	94549	

4/9/2025 13:56:43	Ria Di Costanzo	Riapia73@gmail.com	94549	I have a 4th grader at LES and a 6th grader at Stanley that has to walk by these protestors and their signs everyday going to school. They cannot avoid them since they are right in front of the MPR . They also position themselves too close to the car entrance to the LES parking lot. Please create laws which prohibits any protests near schools and school entrances.
4/9/2025 13:58:15	Wallis Bergeron	Bergeron.wallis@gmail.com	94556	Children in our community should be safe, please prevent these protestors from harassing children and causing a safety hazard.
4/9/2025 14:00:14	Emily LeBoeuf	emilyegreenberg@gmail.com	94549	
4/9/2025 14:02:39	Jamie Cronk	Jamiecr@comcast.net	94549	
4/9/2025 14:05:24	Lindsay Brown	Lindsaybrown808@gmail.com	Lagayette	I'm in favor of a bubble zone around all schools. LA County did this last year. https://beverlypress.com/2024/08/l-a-county-passes-bubble-zone-law/

4/9/2025 14:06:21	Lisa Kapp	Lisamarie028@gmail.com	94563	
4/9/2025 14:06:44	Stephanie snyder	Stephgsnyder@yahoo.com	Lafayette	
4/9/2025 14:13:00	Melissa O’Brien	Mlolsen25@aol.com	94549	
4/9/2025 14:14:44	Ashley Rafal	avrafal@gmail.com	94549	
4/9/2025 14:30:04	Kate Stokes	Katemeganstokes@gmail.com	94563	
4/9/2025 14:33:57	Carly Gatzert	carlygatzert@gmail.com	94549	
4/9/2025 14:42:45	Lauren Rubenstei	Lmruben@aol.com	94549	
4/9/2025 14:51:12	Aly Hunckler	Amicklas@me.com	94556	
4/9/2025 15:19:20	Marcella Azzani	Marcellaazzani@gmail.com	94563	Concerned Lamorinda community member. - keep kids safe, please!
4/9/2025 15:21:55	Jonathan Winter	winter.jonathan@gmail.com	94556	
4/9/2025 15:23:05	Kirsten Jensen-Horne	Kirst.jensen@gmail.com	94595	This would be so appreciated!!! Thanks in advance!

4/9/2025 15:25:49	Carrie Vanhouten	Carrievanhouten@gmail.com	94556	
4/9/2025 15:25:51	Sonali Singh	Sonali.singh1319@gmail.com	94556	
4/9/2025 15:28:38	Lauren Mathias	Lauren.e.mathias@gmail.com	94556	
4/9/2025 15:31:50	Lisa Larkin	Lililarkam29@gmail.com	94549	
4/9/2025 15:34:26	Stacia Law	Stacialaw1@gmail.com	94549	
4/9/2025 15:35:27	Kelly Angel	kmfagan@gmail.com	94549	
4/9/2025 15:36:08	Summer Topping	summerandshanetopping@gmail.com	94563	It has got to stop. TY
4/9/2025 15:36:11	Jordan angel	Jordanangel@gmail.com	94549	
4/9/2025 15:36:30	Jeannine Lyons	jeanninelyons73@gmail.com	94549	
4/9/2025 15:38:46	Verlan Kwan	Verlan_24@hotmail.com	94549	
4/9/2025 15:40:51	Andrea Wade	wadeincolor@gmail.com	94556	
4/9/2025 15:44:53	Mark Larkin	Darklarkin@gmail.com	94549	

4/9/2025 15:57:48	Julia Kirk	Juliahoang@gmail.com	94556	
4/9/2025 15:58:22	Regan Scovic	reganscovic@gmail.com	Lafayette	
4/9/2025 16:01:19	Gabriela Bronson-Castain	drgabrielacastain@summitcenter.us	94549	Entering into a school area with highly charged political material is not safe nor is it conducive to learning.
4/9/2025 16:01:58	Gabrielle Ohleyer	Mohleyer@comcast.net	94549	Please help keep our children safe from this harrassment.
4/9/2025 16:08:44	Erin Kramer	Mrs.Erin.kramer@gmail.com	94549	A car distracted by the protest swerved and got dangerously close when I was unloading my child from the car last year. This puts the community at risk!
4/9/2025 16:12:43	Kelly Kierstead	Kelly.cureton@gmail.com	94549	
4/9/2025 16:15:16	Yi Wang	zhouyi.124@gmail.com	94549	
4/9/2025 16:18:53	Katherine Braunstein	lulubraunstein@me.com	94549	
4/9/2025 16:32:08	Diana Honig	djhwhittle@gmail.com	94563	
4/9/2025 16:34:04	Ushma Upadhyay	ushma.upadhyay@ucsf.edu	Lafayette	

4/9/2025 16:38:07	Katherine Walton	Kwalton@auhsdschools.org	94596	Acalanes teacher and community supporter
4/9/2025 16:43:05	Katherine Georgievv	Katherine.georgiev@gmail.com	94549	
4/9/2025 16:43:10	Kathi Dente	kathi@mccrackendesign.com	94549	
4/9/2025 16:46:28	Marisa LeVeque	Marisa2106@hotmail.com	Lafayette	
4/9/2025 16:50:04	Angela Rusher	Angela.Rushwr@gmail.com	Moraga	
4/9/2025 16:53:03	Carla Hilton	Carlahton@comcast.net	94549	We drive past each weekday morning on our way to Campolindo. I have been distracted by the protestors. My neurodivergent child likes to engage with the pride & trans flag bearers to show support, and that's an additional distraction inside the car. I've seen a purple-sign-holder (appear to) film him, which I'm sure is legal, but creepy, right?
4/9/2025 16:58:57	Amy Perkins	Amyhperkins@gmail.com	94556	
4/9/2025 17:19:06	Abigail Fateman	Afateman@hotmail.com	94549	

4/9/2025 17:30:14	Graciela	Gracielabundy@gmail.com	94549	It’s unacceptable to have any protests near or at schools.
4/9/2025 17:43:12	Kelly Lathrop	Kellylymanlathrop@gmail.com	94549	
4/9/2025 17:48:51	Chelsea Broido	C.broido@gmail.com	Lafayette	
4/9/2025 17:49:27	Alisha Roeder	Alishajr@gmail.com	94549	
4/9/2025 17:56:26	Kaushick Naidu	kaushick@gmail.com	94549	
4/9/2025 17:59:54	Scott Anderson	anderterp@gmail.com	94549	
4/9/2025 18:00:00	Scott Anderson	anderterp@gmail.com	94549	
4/9/2025 18:03:27	Amy Madrigal	Amy.Madrigal@yahoo.com	Lafayette	Please do your duty and protect our children!
4/9/2025 18:21:01	Katie Lampe Muenter	Katiemuenter@gmail.com	94539	Please address this
4/9/2025 18:21:45	Carrie Garber	carriesvibe@yahoo.com	94549	Can we get a restraining order against Lisa Dubrow for that area?
4/9/2025 18:29:26	Pam Dawkins	pameladawkins@yahoo.com	94549	Thank you for your leadership.

4/9/2025 18:36:08	Rebecca Caldwell	Rzgcaldwell@gmail.com	94549	The protestors are also being emotionally unsafe to vulnerable young students.
4/9/2025 18:39:33	Elizabeth Protass	bethprotass@gmail.com	lafayette	I agree! It is too dangerous and notice people slow down to read the signs.
4/9/2025 18:40:32	Tatiana Gessling	Tatiana.gessling@gmail.com	Moraga	
4/9/2025 19:00:05	Kathryn Winogura	Kathrynwinogura@gmail.com	Lafayette	Please, City Council!
4/9/2025 19:24:23	Raghni Naidu	raghinekhanna@gmail.com	94549	
4/9/2025 19:28:46	Laura Cervelli	lcervelli@comcast.net	94549	
4/9/2025 19:35:15	Mei Lin Wolff	meilin.wolff@gmail.com	94556	
4/9/2025 19:59:03	Ingrid Adell	Ingridmcintire@gmail.com	94549	School should be for learning not for posting political views.
4/9/2025 19:59:54	Eric H.McIntire	Ericmcintire1968@yahoo.com	94549	
4/9/2025 20:06:09	Carleen Baldwin	Cccbaldwin@gmail.com	94595	
4/9/2025 20:19:51	Lindsay Mauceli	Lindsaymauceli@gmail.com	93563	

4/9/2025 20:20:12	Jesica Erickson	Jesica.carrillo@gmail.com	94549	
4/9/2025 20:21:41	Rachel Kastigar	rjk766@yahoo.com	San Francisco	Grew up in Lafayette and hate to see this. Trans rights are human rights and no child, particularly no trans or LGBTQ child, should have to deal with this outside of their school.
4/9/2025 20:27:52	Kristiana Tom	kristiana.tom@gmail.com	Orinda 94563	
4/9/2025 20:29:13	Tami Mullins	Lafayettepioneer@gmail.com	Lafayette	
4/9/2025 20:32:12	Susan Padnick	spadnick@gmail.com	94556	
4/9/2025 20:32:58	Christina Goddard	c.goddard@comcast.net	94549	
4/9/2025 20:33:31	Kathryn Ischinger	mothersuperior1@hotmail.com	94563	
4/9/2025 20:35:48	David Matz	drdavidmatz@att.net	94549	
4/9/2025 20:36:20	Sheila matz	sdmatz@sbcglobal.net	94549	

4/9/2025 20:38:38	Sheila Longerbeam	sheilalongerbeam@comcast.net	94549	Please stop this disruption. The signage is inappropriate for elementary aged children/ families. As a driver, I find there top be excess congestion at school drop off when they are present.
4/9/2025 20:40:03	Renee Emerson	Spendingagain@gmail.com	94549	Get the driving distractions away from our school!
4/9/2025 20:40:07	Andrea White	Andig14@yahoo.com	94563	Enough is enough
4/9/2025 20:41:30	Chris Baldwin	Chris.r.bdldwin@gmail.com	94595	
4/9/2025 20:42:50	Jeanne Nilsen Hughes	jeanne@jhughes.net	Lafayette	The kids and families of LES shouldn’t have to confront these upsetting messages every day on the way to school!
4/9/2025 20:45:27	Ruth Donner	ruthdonner4@gmail.com	94549	Let the kids learn and grow in peace!
4/9/2025 20:55:25	Kendell Haynes	Lorrie04@gmail.com	Moraga	
4/9/2025 20:57:22	Rebecca Singh	rebeccasingh2000@yahoo.com	94549	
4/9/2025 21:00:21	Julie Bell	familybell@gmail.com	94549	

4/9/2025 21:01:42	Catherine Kauder	Cathy.kauder@gmail.com	94549	LA enacted a similar ordinance - I would like to see this in Lafayette.
4/9/2025 21:03:21	Avinash Valsarajan	Avinash.valsarajan@gmail.com	94549	
4/9/2025 21:15:07	Lauren Ross	Laureng24@comcast.net	94596	
4/9/2025 21:15:25	Sarah Dolphin	Sdolphin@lafsd.org	94559	As a teacher I can respect the freedom of speech our constitution allows for, but want to see respect granted for our young students to not have to see the uglier side of it each day before they begin learning
4/9/2025 21:17:30	Noopur Liffick	noopur.liffick@gmail.com	94549	
4/9/2025 21:18:40	Hillary Benham-Baker	Hillarybenhambaker@gmail.com	Lafayette, 94549	This is a much needed public safety protection. My children both attend LES and the aggressive anti-transgender rights demonstrators have caused them daily emotional distress with their targeting of their school community. Sadly, this daily harassment has adversely impacted their access to their public education.

4/9/2025 21:21:45	Susan Cole	Susan.Cole@gmail.com	94563	
4/9/2025 21:22:34	Carianne Kowalski	Cariannekowalski@gmail.com	94595	
4/9/2025 21:25:18	Deepti Mehta	Dsingh09@gmail.com	94549	This has been so distracting, and drivers are constantly slowing to see what is going on. It is also confusing if she is waiting to cross the street.
4/9/2025 21:26:30	Will Benham-Baker	willbenhambaker@gmail.com	94549	
4/9/2025 21:28:20	Louise Boas	Louiseboas@gmail.com	94804	
4/9/2025 21:29:17	Dean Smith	dhsdhs63@gmail.com	94549	Yes. We agree. This makes sense.
4/9/2025 21:31:27	Vidya Pai	vidyavpai@gmail.com	94549	My son is an incoming kindergartener at LES. I have strongly considered whether to send him to private school because of the safety concerns that are being caused by these protesters.
4/9/2025 21:31:33	Jenny Chung	Jcee07@gmail.com	Lafayette	

4/9/2025 21:34:43	Karym Vilchez	Mskarym@gmail.com	94563	Keep children safe!
4/9/2025 21:36:07	Heidi Rausch Cancio	herausch@gmail.com	94556	Please take care of this worrisome issue that puts our students at risk
4/9/2025 21:38:08	Harshith Avula	hersheyavula@gmail.com	94549	Protests and activism should not be banned from places of learning as often these are places where we want to encourage the right to free speech, but hateful speech and that which directly undermines the safety and security of children in these schools must stop or at the minimum be curtailed from drop off and pick up times where there is the greatest chance of a traffic collision or violent incident occurring. There is no place in
4/9/2025 21:39:17	Beth Bittle	Callingu2@gmail.com	94549	
4/9/2025 21:39:35	Kelly Benson	Taffyangel3@gmail.com	94556	
4/9/2025 21:40:45	Daniela Thompson	danyt@comcast.net	94549	

4/9/2025 21:43:41	Liz Tausend	Tausend.liz@gmail.com	Moraga	Creating tension and distraction around a school should be illegal. If a fight broke out that would be a safety issue. it's also a safety issue for drivers and pedestrians who are distracted while children and staff are
4/9/2025 21:47:37	Carey Cano	Careycano@gmail.com	94549	
4/9/2025 21:50:47	Bethany Block	bethanylblock@gmail.com	94549	
4/9/2025 21:51:55	Laura Zucker	laurazucker212@gmail.com	94549	
4/9/2025 21:54:39	Kelsey Tu	tukelsey@gmail.com	94563	I drove by this today and it created a ton of distraction for drivers during a time when there were so many children present. I worry that the emotional response to these protests in heavy traffic creates a really unsafe situation for children, pedestrians and drivers at a time when we should be focusing on the safety of kids getting to and from school.
4/9/2025 21:57:19	Toral Kamdar	toralkamdar@gmail.com	94556	

4/9/2025 21:57:34	Arnav Mehta	Nawi214@gmail.com	94549 Lafayette	
4/9/2025 22:00:02	Renee McLemore	rpalgutt@yahoo.com	94556	
4/9/2025 22:00:46	Lauren Frasch	Frasch.Lauren@gmail.com	94563	
4/9/2025 22:02:11	Phillip Kotzan	Philkotzan@hotmail.com	94549	As a family of gay dads, our kids in Lafayette grade schools already get enough harassment and sense of non normality. The messaging these protestors cause is a form of mental torture—forcing the kids at such a young age to evaluate their morality on a day-to-day basis. And then these protesters cause formations of protesting from the opposite viewpoint to counter them—creating traffic/ pedestrian/local business
4/9/2025 22:04:18	Sayeed Choudhur	syzchoudhury@gmail.com	94549	

4/9/2025 22:05:04	Michelle Yeager	Sreimporters@comcast.net	94549	I fully support this petition and ask that the City consider this very important ordinance, to protect the families and their children attending schools in Lafayette. Thank you!
4/9/2025 22:06:35	David Yeager	Theyeagerfamily@comcast.net	Lafayette	Please pass this ordinance to stop the aggressive protestors that scare children!!!
4/9/2025 22:08:52	Amanda Somberg	mandyverydandy@yahoo.com	94597	
4/9/2025 22:14:38	Haylene Anesoir	haysandler@gmail.com	94549	Keeping our children's physical and psychological safety should be the number one priority for our community.
4/9/2025 22:15:42	Julie Strand	sfstrand@yahoo.com	94563	
4/9/2025 22:16:32	Heather White	Heather_anne_white@hotmail.com	Lafayette	I agree and wish protests were a one-mile radius away from any school (preschool, elementary, middle, nursery, high school
4/9/2025 22:17:29	Maureen Wickline	mswickline@gmail.com	94549	

4/9/2025 22:19:27	heather tzortzis	htzortzis@gmail.com	lafayette	This women and all those that threaten our children just trying to get to school must be stopped. She needs to move her platform away from our kids and to another space that doesn't impact children walking to school. I'm all for free speech directed to adults that can vote and choose how to filter information. Our children should not be targets !!!
4/9/2025 22:23:26	Elena Hillman	Ekhillman@yahoo.com	94549	
4/9/2025 22:25:11	Shelly Randesi	Sherandesi@yahoo.com	94549	
4/9/2025 22:28:30	Nathan Jensen-Horne	nate.horne@gmail.com	Lafayette	
4/9/2025 22:28:44	Robyn Whitlock	Whitlock.robyn@gmail.com	Lafayette	
4/9/2025 22:30:50	Hillary Stucker	hillaryst@gmail.com	94549	It's some really shameful shit.
4/9/2025 22:32:36	Dan N. Quine	gwernol@gmail.com	Lafayette	

4/9/2025 22:40:22	Larke Brost-Kazmierski	Larkarella@gmail.com	94549	Absolutely
4/9/2025 22:41:05	Grace kim	G_r_a_c_ek@outlook.com	94549	
4/9/2025 22:41:56	Amanda Lyon	Lyonwalker@hmail.com	94518	The city is required to keep these children safe-both physically and emotionally!
4/9/2025 22:42:05	Jackie Garcia Mann	jackiemann@att.net	94549	
4/9/2025 22:43:16	Andrew Somera	Andrew.somera@gmail.com	94549	
4/9/2025 22:47:13	Danielle Yada	daniellelgodfrey@gmail.com	94549	
4/9/2025 23:02:04	Eden Eisenbarth	edenghass@gmail.com	94563	Sr. Perpetua School and Church member
4/9/2025 23:06:13	Anita Kapoor	anitankapoor@yahoo.com	94549	
4/9/2025 23:28:13	Christina Pang	heriekang@gmail.com	94549	
4/9/2025 23:29:47	DA Linscheid	Granthamdulcinea@gmail.com	94563	
4/9/2025 23:42:33	Mike Knudtsen	mike.knudtsen@gmail.com	94549	

4/9/2025 23:51:59	Marissa Silva	mkoliff@hotmail.com	94549	Please help protect our kids from this hate
4/10/2025	Cally Stock	Callymstock@gmail.com	Orinda	
4/10/2025	Amy Krochmal	Akrochmal@prodigy.net	94595	
4/10/2025	Cheryl Laven	Cherylie78@yahoo.com	94556	
4/10/2025	Cori Soliz	Cori.soliz@gmail.com	94556	
4/10/2025	Yukie Fujimoto	yukie73@comcast.net	94549	
4/10/2025	Brittany Ashlock	BrittanyMAshlock@gmail.com	Lafayette	
4/10/2025	Rebecca Young	Beckaj2@yahoo.com	94549	
4/10/2025	Heath sultan	Chandler.sultan@gmail,comm	94549	
4/10/2025	Carey Starn	starnsix@gmail.com	94549	

4/10/2025 5:07:06	Rachael Willis	Rachlhare42@gmail.com	94595	As a staff member at LES, I can confirm that the daily honking alone is disruptive. Staff have been filmed, and students have been photographed by people capturing photos of the flag before break.
4/10/2025 5:19:16	Kimberly Monterrubio	Km_belanger@yahoo.com	94556	
4/10/2025 6:05:57	Cathy Durden	Cathy_durden@yahoo.com	94556	As someone who commutes this way every morning, this needs to be addressed and resolved. It is a highly congested area for traffic and
4/10/2025	Margaret Haigh	peggyhaigh@gmail.com	94549	
4/10/2025	Nelson Singleton	Nelsonsingleton@gmail.com	94563	
4/10/2025	Katelyn Simons	Katelyn.rose.simons@gmail.com	94549	
4/10/2025	Lisa McCarrel	lllisalllisa@gmail.com	94549	
4/10/2025	Amy Yee	Amy.chenster@gmail.com	94556	

4/10/2025	Lauren Rubenstei	lrubenstein9@gmail.com	94549	
4/10/2025	Mary Markey	Mbmarkey@hotmail.com	94556	
4/10/2025	Allison Pollock	Allisonpollock3@gmail.com	94556	
4/10/2025	Kate Stokes	Katemeganstokes@gmail.com	94563	
4/10/2025 6:48:45	Colleen Wilberts	Ccwilberts@gmail.com	Lafayette	I cannot fathom how our community could allow a couple of people to regularly harass our children on their way to school. Our lack of action is taking away their innocence and sense of security. These are elementary school aged children! What do the protestors hope to achieve by seeking children as their audience? We can no longer allow this to happen in our community!
4/10/2025	Siena Sarmiento	Siena.carter@gmail.com	Lafayette	
4/10/2025	Dina Bogan	dinambogan@gmail.com	94563	

4/10/2025	Cece Cimino	Cecevohscimino@gmail.com	94649	
4/10/2025	Jennifer DiPrisco	Jendiprisco@yahoo.com	94549	
4/10/2025	Debra Szidon	Debraszidon@yahoo.com	94549	
4/10/2025	Kathleen Olson	kathleensgarden@gmail.com	94549	
4/10/2025	Ami Dodson	amidodson@gmail.com	94549	
4/10/2025 7:11:28	Kelli Bacher	Kellibacher@gmail.com	Moraga	Although I don't live in Lafayette, I must drive through Lafayette often to get to the freeway. The awful, painful, horrible signs by Moms of Liberty (Lisa and her crew) spread lies and create an unsafe environment for my family and
4/10/2025	Anne H	anne_c_harris@yahoo.com	94549	Thank you
4/10/2025	Jenny Rosen	Jennsolo@outlook.com	94549	
4/10/2025	Katie Blair	Katieblair23@gmail.com	94549	

4/10/2025	Patsy Mickens	Patsymickens1@gmail.com	Lafayette	
4/10/2025	Susan Reimer	Sue_reimer@hotmail.com	94549	
4/10/2025 7:37:37	Ginny Stofer	Shamrockgrl74@yahoo.com	Walnut Creek, 94595	Protestors who have no business being in front of a school, where kids don't even understand what they are protesting shouldn't be put in harms way. Guess the protesters don't care truly about
4/10/2025	Shayna Schulz	shayna@shaynaschulz.com	94549	
4/10/2025	Shira Lompa	Shira510@gnail.com	94556	
4/10/2025 7:45:08	Nicole Prine Mancinelli	nprine21@gmail.com	94549	
4/10/2025	Caitlin Bauer	Caitlin.o.bauer@gmail.com	94549	
4/10/2025	Kim Roth	Kscroth@gmail.com	Lafayette	
4/10/2025	Kim Rubey	Krubey@gmail.com	94549	

4/10/2025	Brook Mancinelli	brook.mancinelli@gmail.com	94549	
4/10/2025 7:52:25	Grace Fletcher De Niear	grace.e.fletcher@gmail.com	94549	
4/10/2025	Kaitlin Lewis	Krtier@gmail.com	94549	
4/10/2025 8:04:11	Hilary Friedman	hilary.june@gmail.com	94595	Protesting has to done with consideration of those people, residences or businesses around them. They can move 1 block up the road into the park at Mt Diablo and Moraga road so they are not disturbing children or traffic.
4/10/2025	Erin brindley	Brindley.erin@gmail.com	94563	
4/10/2025	Adina Zinn	adina@loveyourwork.net	94595	
4/10/2025	Justin Galle	Jgalle90@gmail.com	Lafayette	Alumnus of Lafayette elementary school
4/10/2025	Fernanda Fisher	nandy66@yahoo.com	94549	
4/10/2025	Heather Juracich	Farmgirlgum@gmail.com	94559	

4/10/2025	Roxanna Smith	roxanna.smith@gmail.com	94549	
4/10/2025	Nicole Dennis	Dennisnicoler@gmail.com	94549	
4/10/2025	Danielle Hill	Dking330@hotmail.com	94549	
4/10/2025	Cynthia Sayeghq	cindy.sayegh@gmail.com	94549	
4/10/2025	Ellen Poling	emoskpoling@gmail.com	Lafayette	
4/10/2025	Iris Wagner	Irislynwagner@gmail.com	94549	
4/10/2025	Beth Soto	bethsoto@mac.com	94549	
4/10/2025	Deborah Hungerfor	deborahhungerford@gmail.com	Napa CA	I am retired teacher from the Lafayette School District.
4/10/2025	Leah Felson	Leahfelson@gmail.com	94549	
4/10/2025 9:02:10	Barbara Brady-Smith	Barbaraandscott@gmail.com	Lafayette	
4/10/2025 9:03:20	Beverly Jane Peatross	beverlyjanep@me.com	Lafayette	

4/10/2025	Patricia Castro	Pcastro1433@yahoo.com	94549	
4/10/2025	Brian Maloney	MaloneyTwins14@gmail.com	94549	
4/10/2025	Shilpa Thomas	shilpakuruvilla@gmail.com	Lafayette	
4/10/2025	Dori Anderson	doriemail@me.com	94556	
4/10/2025	Margaret Struchen	struchenadams123@gmail.com	94595	
4/10/2025	Hilary Hanley	hilary.hanley@gmail.com	94549	
4/10/2025 10:08:31	Danielle Edgington	Dandel88@gmail.com	94549	
4/10/2025 10:12:26	Adrienne Ritter-Ling	adrritter@gmail.com	Lafayette 94549	
4/10/2025 10:13:46	Andy Lynch	andylynchd@gmail.com	94549	
4/10/2025 10:27:29	Jennifer Fish	Jennifer.l.fish@gmail.com	94549	

4/10/2025 10:28:49	Merideth Ranahan	Merideth.ranahan@gmail.com	94549	
4/10/2025 10:33:24	Nina Buster	nina.noman@gmail.com	94563	While I'm an Orinda resident, I have a child attending school in Lafayette and we drive by this area as well. This behavior is disgusting and our children should not be exposed to such hateful beliefs while the City does nothing to curb it. Traffic is already bonkers in this area and we do NOT need more distractions making the area unsafe for drivers and children. Who is this city protecting? Protesters with hateful views, vs our children? Lafayette needs to do better for ALL of our kids.

4/10/2025 10:43:38	Meighan Endress-Abolins	abolinsreading@gmail.com	94549	Free speech is important AND children should be able to go to school without feeling harassed or bullied. I believe we can and should accommodate both. Please consider making the school zone a safe space for children to arrive to and depart from school. Thank you for your consideration.
4/10/2025 11:02:50	Sandra L Mulligan	sandramulligan02@gmail.com	94549	
4/10/2025 11:04:27	Kellen kaiser	kkaiser49@yahoo.com	95449	Kids deserve to go to school without being harassed by bigots.
4/10/2025 11:06:40	Kaylie Milliken	kayliemilliken@gmail.com	94549	As a teacher in Lafayette, I find the protestors to be extremely distracting and endangering our students.
4/10/2025 11:27:07	Susanne Simas	Susannesimas@hotmail.com	94549	Free speech is a right, but not at the expense of our children!
4/10/2025 11:33:18	Amanda fisher	Fisheramf@gmail.com	94549	

4/10/2025 11:44:23	Laura Lee	stringsandkeys@mac.com	94549	
4/10/2025 11:48:39	Amanda Conrad	amanda.malmquist@gmail.com	94556	
4/10/2025 12:12:45	Juleen Lapporte	juleenlapporte@yahoo.com	94549	
4/10/2025 12:36:47	Donna McLaughlin-Endress	donnamac45@earthlink.net	94549	Aside from politics, this is a big safety issue in our community. It's not complicated. This is about protecting children so they can get to school physically and emotionally safe.
4/10/2025 13:19:24	Robert Weiner	rob.weiner@sbcglobal.net	94595	

4/10/2025 13:23:04	Ana Ramirez	ramirezana0417@gmail.com	94556	Even though I do not have k-12 kids currently in school. I have driven by both Stanley and Lafayette Elementary leaving Moraga and have been approached by the anti-transgender protesters who came to my window. Very distracting and unsafe for everyone. Please do something to keep everyone safe.
4/10/2025 14:08:55	Kristin Becker	kibbykibby@gmail.com	94549	
4/10/2025 14:09:46	Beth Mintz	bcmintz@alumni.stanford.edu	94556	This cluster of people on the sidewalk, spilling into the street, is a hazard to drivers and pedestrians. I avoid Moraga Rd. as much as possible because of them. I absolutely believe in free speech of all stripes, but time, manner and place matter. These people are creating a potentially dangerous situation because of where they are standing and what they are doing. They should be required to exercise their free speech rights

4/10/2025 14:10:53	Jennifer Clayton	Jenniferdavisclayton@gmail.com	94549	
4/10/2025 14:28:39	Kiyo Watkins-Weiss	Kiyoww@comcast.net	94549	
4/10/2025 14:29:20	Jonathan Weiss	Jonathanweissmd1@icloud.com	94549	
4/10/2025 14:29:53	Kyra Weiss	Kyrajw05@icloud.com	94549	
4/10/2025 14:31:42	Sheila Matz	Sheilamatz@gmail.com	Lafayette, CA 94549	
4/10/2025 14:40:00	Effie Casella	effieandstevecasella@gmail.com	94549	LES is an open campus on a busy street and there must be boundaries beyond the public sidewalks to keep students, staff and families safe from groups loitering and protesting. Please help us keep our LES
4/10/2025 14:41:09	Colclough Sanders Gomez	colclough.sanders@gmail.com	94549	Please take action to shield our students from these protests directly in their path to and from school.

4/10/2025 14:48:36	Kirstin griffin	Kgriffin78@hotmail	94549	
4/10/2025 15:03:55	Natasha	kapoor.acuna@gmail.com	94549	
4/10/2025 15:28:30	Alicia Woodson	amwoodson@ymail.com	94597	
4/10/2025 15:56:47	Shannon Lee Venturini	shannonlventurini@yahoo.com	94549	
4/10/2025 16:02:40	Pam Severson	pam.severson13@gmail.com	94549	As i live in this area and drive by LES every morning I see how distracting it is. We DO NOT need another accidental death in this area. It's way too congested as it is!
4/10/2025 16:06:18	Lorna Levante	lorna@levante.ca	94549	Thank you for creating this petition and calling the City of Lafayette to take action and ensure safety of our children and their families.

4/10/2025 16:25:51	Jaso. Lee	Jrlee3525@gmail.com	94563	If they cared this much. They'd do it during the summer. These protestors just want to block kids on sidewalk, to fire them into traffic.
4/10/2025 16:27:52	Nicole	Nicolestagnaro@gmail.com	94549	
4/10/2025 16:30:32	Samantha Wolff	wolff.samantha@gmail.com	94549	
4/10/2025 16:37:27	Reena Bhatia	reena.bhatia@gmail.com	94549	
4/10/2025 16:38:38	Samantha Wilson	sammywilson@mac.com	94549	
4/10/2025 16:42:58	Nadine Lusch	nadinebeth@hotmail.com	94549	
4/10/2025 17:24:19	Camille Weekes	camilleweekes@gmail.com	94549	
4/10/2025 17:33:59	Carrie	Knudtsen	94549	

4/10/2025 18:12:32	Danielle Boone	dboone94549@gmail.com	94549	They should not be allowed near our schools.
4/10/2025 19:03:43	Ann Levin	annalynn65@gmail.com	94563	
4/10/2025 19:28:39	Samantha Angel	Samantha.koehn@gmail.com	94549	
4/10/2025 20:04:11	Natalie Steffen	Nlsteffen18@gmail.com	94556	
4/10/2025 20:15:24	Kristina Huk	KHuk07@gmail.com	94549	
4/10/2025 20:24:53	Sarah Vickers-Webb	Svickerswebb@gmail.com	Lafayette	
4/10/2025 20:25:07	Clifford Webb	webb.clifford@gmail.com	94549	
4/10/2025 21:14:49	Cara Flory	florycara@gmail.com	94549	I concur wholeheartedly with this petition.

4/10/2025 21:16:10	Joel Flory	joelflory@mac.com	Lafayette	
4/10/2025 21:19:05	Ashley Hiatt	ashley.e.hiatt@gmail.com	94549	
4/10/2025 21:28:22	Daniel Suh	Funsuh@gmail.com	Lafayette	
4/10/2025 21:55:31	Stephanie Hamilton	Stephchav@gmail.com	94549	
4/10/2025 22:46:48	Michele Colaco	micheleccolaco@gmail.com	94549	
4/10/2025 23:29:58	Lori Burrey	lpmocha@gmail.com	Orinda	
4/11/2025	Sara Christoi	Sara.c.christoi@gmail.com	94549	
4/11/2025	Mary Lind	Lind.maryj@gmail.com	94598	
4/11/2025	Amie Krey	amiekrey@yahoo.com	94549	

4/11/2025 8:56:37	Maria Gastelumendi	therisingloafer@gmail.com	94549	Please, protect our children, they are our future and they have to be in a safe environment. It has come to my attention that there is a group of adults so call "PURPLE POPLE" who intimidated our infants and entree of school as well as leaving school.
4/11/2025 8:56:52	Lynn MacMichael	LynnMacM@gmail.com	94549	This is so important in Guaranteeing the safety of our children . It is also such an important statement about how our wonderful city will not all hate and misinformation to
4/11/2025	Anna Reid	annareid33@hotmail.com	94549	This group has upset my children terribily.
4/11/2025	Esther Dean	esthermdean05@gmail.com	Lafayette	
4/11/2025	Jim Reid	jimreid33@gmail.com	Lafayette	I support this petition
4/11/2025 10:19:16	Mia Hansen	miaphansen@yahoo.com	94549	I find their protests to be unsafe and a huge distraction for drivers. Also I disagree with them!

4/11/2025 10:22:18	Izabela Marinovic Adolphson	Izabelamarinovic@gmail.com	Lafayette	Protesters have to be away from schools… I'm all about protesting for whatever you want, but we really don't need to have these children involved
4/11/2025	Kathy macchi	Kmmacchi@comcast.net	94556	
4/11/2025	Sheryl Platt	sheryl@slpdesigns.net	94549	
4/11/2025	Laura Dempsey	laurademps33@gmail.com	94549	Safety needs to be our first priority!
4/11/2025	Aaron Sinclair	nevelis@gmail.com	94556	
4/11/2025	carol singer	bc2singers@aol.com	94549	
4/11/2025 11:26:22	Anne Harris	anne_c_harris@yahoo.com	94549	It's harassment that conveys hate messaging and needs to stop being cruel and disruptive right when and where kids are being taken to an institution of learning and teaching dignity. Protesting can take place elsewhere and at other times of day, rather than making parents and youth feel hated and afraid, as well as endangered and late

4/11/2025	Madeleine Quine	maddyquine@gmail.com	94549	
4/11/2025	Katie Lampe	Katherinelampe@gmail.com	94549	
4/11/2025	Natalie Bove	nbove0530@gmail.com	94553	

From: Robert Lavoie <rjlpvt@pacbell.net>
Sent: Sunday, April 13, 2025 5:14 PM
To: Robbins, Joanne
Cc: Candell, Susan, Anduri, Carl, John McCormick, Cervantes, Jim, Dawson, Gina, Srivatsa, Niroop
Subject: City Council Meeting, March 7, 2025, Agenda Items
Attachments: Cease and desist letter to City of Lafayette.pdf

Dear City Council:

I would make the following points in opposition to the comments last year by Nikki Cowger and repeated again in this meetings agenda by Rob Sturm - both attorneys i might point out.

- There is no demonstrable evidence of any threat to public safety. None.
- I have been present at two protests this year** and it is untrue that anyone was blocking the sidewalks or forcing passersby to step out into the street. During drop off and pick up times, traffic moves between 0 and 1 mile per hour on Moraga Road.
- The Lafayette Police Department has been to the site multiple times (mostly last year), and has always told the protestors that they were acting within their legal rights and not violating any of the existing laws that already prohibit blocking sidewalks or displaying signs on public property.
- To the extent the persons bringing this issue to the attention of City Council are concerned about the ***possibility*** of blocking a sidewalk or distracting motorists, it is, ironically, the ***counter***-protestors who create such a risk. They were there in much larger numbers at times, they waved larger signs, and they wear rainbow clad clothes, dance around, etc. to attract more attention to themselves and their message (on both sides of Moraga Rd).
- It is VERY significant that the persons urging City Council to act are the counter-protesters themselves.
- They can claim they only want content-neutral restrictions on free speech, but that is not true. They have actively tried to drown out the message of the protesters that medicalization and sterilization of kids is wrong. Having failed to do that, they now want the City to silence this message with which they disagree.
- The City has already received at least one letter from an accomplished local attorney last year that threatened to bring legal action against Lafayette based on its efforts to stifle free speech on the El Curtola overpass. (see attached)
- If the City acts to censor the exercise of free speech on Moraga Road as well, it is sure to be sued. And it will lose.
- The City cannot afford legal fees to defend lawsuits. Nor can it afford to pay the legal fees of the person or persons suing the City (which it will be ordered to pay). City Council just passed an increase to the sale tax by pointing out our city faces a structural budget deficit.
- At the Candidates' forum held as part of the past election, each and every one of the Council members stated their support for the legal right of residents to peaceably and lawfully protest on public property. You each need to stand by that commitment now.

Thanks for your consideration

Rob Lavoie

872 Moraga Rd

** I personally don't like protesting but did go a couple times last year and this year to see what was happening in person and because of my concerns about what the schools are doing, which i have voiced to the district via letters and personal meetings and at public school board meetings, and to the city council, the city manager and VM Kwok in person along with some other concerned residents last year, and in several letters to the editor and on Next door.

LAW OFFICE OF DANIEL HOROWITZ
P.O. Box 1547
Lafayette, California 94549

Physical Address

3650 Mt. Diablo Blvd.
Suite 225
Lafayette, California 94549

Telephone: 925-283-1863
Facsimile: 925-299-6765
E-Mail: Horowitz57@gmail.com

To the City Council of Lafayette, California
3675 Mount Diablo Blvd.
Lafayette, California 94549

Re:

First Amendment Violations by the City of Lafayette
Curtola Overpass

Dear City Council Member:

I am writing as attorney for two groups of citizens who are assembling on the Curtola overpass to express their political views. These groups can be generally deemed as MAGA supporters and people in support of Hamas freeing the October 7 hostages.

The City of Lafayette through its City Manager has been prodding Caltrans to take action to effectively remove people from the overpass. The City Manager is acting in the course and scope of her employment by the City of Lafayette.

As explained in this letter, this conduct by the City of Lafayette violates the 1st Amendment leaving the city liable for millions of dollars in damages and attorney's fees in a lawsuit under 42 U.S.C. 1983 (and other statutes).

The City of Lafayette has been largely silent on speech at that overpass except when it has been occupied by those expressing certain very specific viewpoints. Basically MAGA views and those in favor of freeing October 7 hostages have been the sole targets of Lafayette.

I am attaching photos of Memorial Day flags flying on the Curtola bridge. No City of Lafayette or Caltrans interference took place. This is content based conduct by Lafayette and Caltrans and such content based action is a 1st Amendment violation. It is notable that Caltrans has regularly allowed anti-Israel signs to be displayed and even remain displayed after the political proponents have left. (See A & B attached)

Both David Ambuehl, Chief Deputy District Director of Caltrans and City Manager Naroop Srivatsa have expressed to the public shocklingly inaccurate legal opinions regarding political conduct on the overpass. The source of their "legal opinions" is unknown but *both* have expressed these opinions *to the public* in an effort to suppress speech.

I am not aware of the legal experience or background of Deputy Director Ambuehl or City Manager Srivatsa but they are legally incorrect. The Curtola overpass is a traditional public forum. See, **Ovadal v. City of Madison, Wis**., 416 F.3d 531, 536 (7th Cir.2005) (holding that a pedestrian overpass constitutes a traditional public forum).

In **Ovadal** the court found that:

> The extent of limitation that is permissible is determined by the forum in which the speech takes place. Frisby v. Schultz, 487 U.S. 474, 479, 108 S.Ct. 2495, 101 L.Ed.2d 420 (1988). The district court found that the pedestrian overpass was a traditional public forum because it was a portion of a public sidewalk. See United States v. Grace, 461 U.S. 171, 179, 103 S.Ct. 1702, 75 L.Ed.2d 736 (1983). "Time out of mind, public streets and sidewalks have been used for public assembly and debate, the hallmarks of a traditional public forum." Frisby, 487 U.S. at 480, 108 S.Ct. 2495 (internal quotations omitted). We agree with the district court's conclusion that **"[a] public sidewalk does not lose its status as a traditional public forum when it passes over a highway overpass."** All public sidewalks "are held in the public trust and are properly considered traditional public fora." Frisby, 487 U.S. at 481, 108 S.Ct. 2495. Thus, as the district court correctly determined, Ovadal's protest occurred in a public forum.
> (**Ovadal v. City of Madison, Wisconsin** (7th Cir. 2005) 416 F.3d 531, 536, emphasis added)

In **Faustin v. City, County of Denver, Colorado** (10th Cir. 2001) 268 F.3d 942 the court found that an " overpass is a traditional public forum." *Id* 950 See also: **Lewis v. McCracken**, 782 F. Supp. 2d 702, 713 (S.D. Ind. 2011) (holding, for purposes of qualified immunity, that it was "clearly established" that a "privately owned sidewalk adjacent to a public highway [running through rural Indiana is] a traditional public forum")**; Lytle v. Brewer,** 77 F. Supp. 2d 730 (E.D. Va. 1999) (holding, for purposes of qualified immunity, that "a person had a clearly established right to protest their individual beliefs on traditional public fora, such as sidewalks and pedestrian crosswalks," including the pedestrian sidewalk abutting the interstate highway at issue)**; Swagler v. Sheridan,** 837 F. Supp. 2d 509, 515 (D. Md. 2011) (considering speech occurring in the "grassy shoulder along Route 24" - a state highway running through rural Harford County - and holding that the protestors' First Amendment free speech claims were

clearly established for purposes of qualified immunity); cf. **Knights of Ku Klux Klan v. Arkansas State Highway & Transp. Dep't**, 807 F. Supp. 1427, 1435 (W.D. Ark. 1992) ("The court believes that it is undeniable that in this day and time that public highway rights-of-way have become places where 'speech' of one type or another is engaged in." "The court believes that highway rights-of-way are traditional public forums."); **Corral v. Montgomery City**., 4 F. Supp. 3d 739, 751 (D. Md. 2014) (holding that it is clearly established that "where there is a 'thoroughfare,' a traditional public forum exists," and therefore denying qualified immunity to officer's policing of a sidewalk easement "integrated into the street grid").

The conduct on the overpass is not just protected, it is highly protected. "[S]peech in public areas is at its most protected on public sidewalks, a prototypical example of a traditional public forum". **Schenck v. Pro-Choice Network Of Western New York** (1997) 519 U.S. 357, 377

It is true that freeway fences are not traditional public forums. (See **Brown v. California Dept. of Transp**. (9th Cir. 2003) 321 F.3d 1217 [The State's highway overpass fences have not "traditionally been available for public expression".] Therefore Caltrans can argue that even if the political expression is protected the fence cannot be used.

This argument will fail in court as Caltrans has consistently allowed and its fences to be used by various groups. The asymmetric application of any otherwise valid restriction is again a 1st Amendment issue. The City of Lafayette's participation in the asymmetric application of the law is also actionable under 42 U.S.C. 1983.

I have provided two example of signs that Caltrans allowed to be pinned to the fence but this is just the tip of the iceberg. Palestinian signs have remained posted on the 80 overpass near Emeryville for days, even when the individuals promoting the signs have left.

Similar Palestinian signs have been displayed remained after people have left throughout the State. Signs on various topics have been displayed on fences over the Highway 24 overpass in Orinda on various topics.

So summarized, everything is a protected speech area except the fence. However, the fence use can only be restricted in a content neutral manner. As the Ninth Circuit noted in **Brown v. California Dept. of Transp**. (9th Cir. 2003) 321 F.3d 1217, "[r]estrictions on free expression in a nonpublic forum are constitutional only if the distinctions drawn are (1) "reasonable in light of the purpose served by the forum" and (2) "viewpoint neutral." Cornelius, 473 U.S. at 806, 105 S.Ct. 3439." **Brown v. California Dept. of Transp**. (9th Cir. 2003) 321 F.3d 1217, 1222 The advocacy of Lafayette's City Manager against only MAGA and those in favor of protecting hostages is a clear political choice.

In **Brown**, on remand, Judge Whyte found that "CalTrans's policy of allowing the non-permitted display of United States flags from state highway overpasses while not allowing the display of other expressive flags, signs, or banners—whether containing words or otherwise—is not reasonable." **Brown v. California Dept. of Transp**. (N.D. Cal. 2003) 260 F.Supp.2d 959, 967

He then issued a permanent injunction.

> Defendant CalTrans is hereby permanently enjoined from continuing, adopting or implementing a policy or practice which allows an individual to hang a United States flag from a highway overpass without a permit while not allowing an individual to hang any other sign, banner, or flag from a highway overpass without a permit. CalTrans must enforce its permitting and maintenance rules and regulations on a content neutral and viewpoint neutral basis.
> **Brown v. California Dept. of Transp**. (N.D. Cal. 2003) 260 F.Supp.2d 959, 968

Allowing Memorial Day flags to fly but not MAGA (upside down flags this last week) or American and Israel Flags tied to freeing hostages is a direct violation of Judge Whyte's order.

It does not matter that Caltrans is the ultimate violator of the 1st Amendment. The City of Lafayette is liable.

A city policy causes injury when it is the "moving force" behind a constitutional violation. **Chew v. Gates**, 27 F.3d 1432, 1444 (9th Cir. 1994) (citing Monell v. Dept. of Soc. Serv. of City of N.Y., 436 U.S. 658, 694 (1978)) This concept of indirect involvement as creating liability under 42 USC 1983 was also discussed in **Devecchis v. Scalora**, 179 F.Supp.3d 208 (2016) and **Alla v. Verkay**, 979 F.Supp.2d 349 (2013). The liability arises from the participation of the instigator that although indirect, included helping, or encouraging others to commit the unlawful acts.

Please bear in mind that as explained in **McCormick v. City of Lawrence, Kansas**, 253 F.Supp.2d 1172 (2003) even the threat of arrest in certain circumstances could be seen as a significant deterrent, sufficient to constitute a violation of the First Amendment. Specifically the court found that "[a]ny form of official retaliation for exercising one's freedom of speech, including prosecution, threatened prosecution, bad faith investigation, and legal harassment, constitutes an infringement of that freedom." *Id* 1191 With respect to the threat of arrest the McCormick court found that "the threat of arrest by a police officer is exactly the sort of act that would deter a person of ordinary firmness from exercising his or her First Amendment right to orally challenge that officer."

Based upon the above, the City of Lafayette has already violated the 1st Amendment rights of my clients. The City should cease all interference with my clients.

If there is further unconstitutional action the lawsuit will be one of major proportions.
The City should be aware that the conversations on this topic both formal and informal are subject to discovery. If any member of city government has received texts, e-mails or had communications on the above subjects they need to be preserved as their destruction will be subject to serious scrutiny.

We are in converation with First Amendment attorney Martin Garbus and we anticipate joining him in any 1st Amendment lawsuit. Martin Garbus has a 60 year history as the nation's leading

First Amendment lawyer. He has represented Nelson Mandela, Andrei Sakharov, Václav Havel, Samuel Beckett, Al Pacino, Daniel Ellsberg, Philip Roth, Michael Moore, Sean Connery, Michael Caine, Michael York, and Lauren Bacall. I am meeting with him next week on this subject.

I suggest that if the City of Lafayette and/or City Manager have views on MAGA or the October 7 hostages that they express their views fully and comprehensively. However, what the City and its manager cannot do is use the municipal power of the City of Lafayette to shut down the speech of my clients.

I hope you take this letter very seriously and act without any delay in correcting the presently untenable situation.

Daniel Horowitz

EXHIBIT A

WE HONOR OUR VETS

EXHIBIT B

Palestine East Bay Anti-War

Free Palestine - Richmond Vigil - Banner Drop

original image (1080x568)

Import event into your personal calendar

Date:	Friday, May 17, 2024
Time:	3:00 PM - 6:00 PM
Event Type:	Protest
Organizer/Author:	Friends of Gayle McLaughlin, RCF, FPM
Location Details:	Richmond, CA. San Luis Ave. & Sacramento Ave. 94804

Join us to stand for Peace and Justice everywhere and to reject the U.S.- Israeli genocidal war on the Palestinian People. Every Friday 3 PM to 6 PM at the Richmond I-80 overpass, at Sacramento Ave and San Luis Ave. Bring signs and flags large enough to be clearly visible to the thousands of commuters driving by. Everyone in solidarity with Palestine is welcome to Richmond's weekly Peace Vigil.

Added to the calendar on *Mon, May 13, 2024 5:36PM*

by Friends of Gayle McLaughlin, RCF, FPM
Mon, May 13, 2024 5:36PM

§

original image (876x657)

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Regions

From: Barbara H <bar45hde@yahoo.com>
Sent: Monday, April 14, 2025 11:59 AM
To: cityhall
Subject: Free Speech in Lafayette

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Dear City Council,
In my childhood, my teachers and my parents taught me that freedom of speech is one of our most important freedoms.

I was shocked to learn that the Lafayette City Council was considering curtailing free speech outside its schools. This would be a terrible message to all, but especially to the students in those schools. Do you really want to teach Lafayette students that they don't actually have a right to express what they believe?

Please consider this as you decide on this important issue.

Respectfully,
Barbara C. Hyde
Walnut Creek

Yahoo Mail: Search, Organize, Conquer

From: Cynthia Cravens <yarewe_sf@yahoo.com>
Sent: Monday, April 14, 2025 11:37 AM
To: cityhall
Subject: Comment for Tonight's City Council Meeting

Caution: The sender name (Cynthia Cravens) is different from their email address (yarewe_sf@yahoo.com), which may indicate an impersonation attempt. Verify the email's authenticity with the sender using your organization's trusted contact list before replying or taking further action.

Lafayette City Council Members
Cityhall@lovelafayette.org

Dear Esteemed Members of the Lafayette City Council,

My understanding is, that at tonight's City Council Meeting, you will discuss the possibility of restricting the 1st Amendment Rights of peaceful, civil protesters who express their opinions on public sidewalks near schools in the LaFayette School System.

My name is Cynthia Cravens, and I am a lifelong liberal and long time San Francisco Democrat. I also support or am even a member of organizations and coalitions that have serious concerns about gender identity ideology, and the fact that unscientific, unproven beliefs belonging to this ideology are being taught in California schools...sometimes to very young children. These organizations/coalitions include "Women Are Real," the Independent Women's Forum, ICONS (Independent Council on Women's Sports), CAUSE (Californians United for Sex Based Evidence in Policy & Law), and DIAG (Democrats for an Informed Approach to Gender).

Other members of these organizations/coalitions and I watch with growing dread as the right to free speech...to express one's opinions openly...freely...without societal punishment... diminishes. This is especially true for us who have so-called controversial views surrounding the gender identity movement, who are very rarely given a platform in which to debate those views with others in mainstream legacy news & media outlets.

And, that's why the fact that the LaFayette City Council is even considering cutting back on citizens' rights to peacefully protest and to engage civilly with adversaries is so very alarming.

Please, please fight for the 1st Amendment rights of the residents of LaFayette: they ALL need your support.

Sincerely,

Cynthia Cravens
Woman Are Real

Sent from Yahoo Mail on Android

From: Janine Crowe <jlcrowe@sbcglobal.net>
Sent: Monday, April 14, 2025 11:53 AM
To: cityhall
Subject: April 14, 2025, agenda item 14B

Dear Mayor Candell and City Council Members of Lafayette,

I am writing in regards to item 14B on the agenda for the meeting to be held on Monday, April 14, 2025.

As you consider the requests to limit the peaceful protests in the public space in front of Lafayette Elementary School, I urge you to consider the 1st amendment rights of the protestors. The 1st amendment states that the government shall not infringe on the right to freedom of speech or the right to assemble peacefully.

To my knowledge, the protestors have been peaceful and have not prevented anyone from entering or leaving the school. Also, to my knowledge, they are not noisy, and when spoken to are polite and civil. People may disagree with their signs philosophically, but the signs are not vulgar or violent. They express an opposite view to the social views taught in school. I am afraid that the root cause of the opposition to the protestors is their point of view which is contrary to the majority view in Lafayette. However, the 1st amendment protects minority views not just majority views. We never know when any of us could become the minority on a particular issue. We all want to preserve our rights if we should ever fall into the minority. The test of a democracy is not how the majority treats the majority but how it treats the minority.

If there is concern about public safety, please consider having neutral civic leaders check on the protests and see what the impact is on the surrounding area. After having gathered information over time, a determination can better be made as to whether the protests are affecting public safety or not.

Thank you for your consideration of my letter.

Sincerely,
Janine Crowe